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**Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

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**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY**

In the Matter of)
Administration of the)
North American Numbering Plan)

CC Docket No. 92-237

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**REPLY COMMENTS OF THE
COMPETITIVE TELECOMMUNICATIONS ASSOCIATION**

The Competitive Telecommunications Association ("CompTel"), by its attorneys, respectfully submits this reply to the further comments received on May 21, 1996 in response to the Commission's Public Notice in this proceeding.¹

In the Notice of Proposed Rulemaking ("NPRM") in this docket, the Commission tentatively concluded that a six-year permissive dialing period was appropriate for the transition to four-digit carrier identification codes ("CICs").² In the Public Notice, the Commission asked parties to comment on whether recent events, including the passage of the Telecommunications Act of 1996,³ should affect the Commission's tentative conclusion in favor of a six-year transition period. A dozen parties submitted comments in response to this Notice. For the reasons below, CompTel respectfully urges the Commission not to depart from its earlier conclusion in this docket.

¹ See Public Notice, DA 96-678 (rel. Apr. 30, 1996).

² *Administration of the North American Numbering Plan*, Notice of Proposed Rulemaking, 9 FCC Rcd 2068, 2077.

³ Pub. L. No. 104-104, 110 Stat. 56 (1996).

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The conversion to four-digit CICs will require modification of literally millions of pieces of telecommunications equipment. Although most LEC switches have already been modified, the significant concern here relates to the millions of PBXs, payphones, other aggregator telephones, and other CPE that would need to be modified so that users could dial 101XXXX codes. AT&T estimates that users of its (now Lucent's) PBX equipment may have to expend up to \$15,000 per PBX, and that, based upon past buying behavior, it would take more than six years for customers to upgrade their PBXs.⁴ Payphone and aggregator equipment providers also have expressed concern that four-digit CICs will require substantial modification to some equipment and render other equipment obsolete well before the end of its useful life.⁵ A six-year transition period allows replacement or modification of this equipment without undue hardship to CPE owners.

The Commission faced a similar situation with the unblocking of 10XXX codes from aggregator telephones. Aggregators needed time to modify or replace equipment in order to permit 10XXX dialing (as required by TOCSIA) without exposing them to a risk of fraud and without imposing undue economic burdens on such providers. The Commission adopted a phased-in transition for the unblocking of this equipment, permitting up to six years for some equipment to be modified.⁶

⁴ AT&T May 21, 1996 Comments at 6.

⁵ NPRM, 9 FCC Rcd at 2077.

⁶ 47 C.F.R. § 64.704(c) (allowing until April 1997 to unblock equipment that required more than \$15 per line to modify); see *Policies and Rules Concerning Operator Service Access and Pay Telephone Compensation*, 6 FCC Rcd 4736 (1991).

A transition period also is needed to educate consumers on the need for and proper use of the new 101XXXX codes.⁷ Callers have just in the last few years grown comfortable with access code dialing, after a period of widespread confusion regarding when and how to use such codes.⁸ A flash cut abandonment of these dialing procedures will needlessly confuse these callers once again, likely leading to an increase in customer complaints and contributing to a negative perception of the industry as a whole. With a transition, however, carriers may educate their customers using normal business channels to dial a new sequence in order to reach them. The longer the period, the more time carriers have to conduct this education, and the less likely it is that callers will become confused by the change.

Those who seek to shorten the transition period argue that the 1996 Act's dialing parity requirement⁹ and the purported danger of exhaustion of CICs require a very brief period of permissive dialing.¹⁰ Neither argument provides a reason to depart from the Commission's conclusion in favor of a six-year transition.

Dialing parity is an important goal of the Telecommunications Act, and should be implemented as soon as possible. CompTel agrees with AT&T that the length of a CIC is

⁷ See Telco Communications Group May 21, 1996 Comments at 4-5; VarTec May 21, 1996 Comments at 1-2.

⁸ See Supplemental Comments of the Competitive Telecommunications Association on Alternatives to Billed Party Preference, at 3 & n.8, CC Docket 92-77 (filed Apr. 12, 1995).

⁹ 47 U.S.C. § 251(b)(3).

¹⁰ See, e.g., BellSouth May 21, 1996 Comments at 2-3; Cincinnati Bell May 21, 1996 Comments at 2-3; U S West May 21, 1996 Comments at 6-7.

less important if the Commission (and the states) promptly extend 1+ presubscription to intraLATA calls.¹¹ With the ability to presubscribe to a carrier of choice for 1+ calling, the customer is able to complete toll calls provided by any carrier by dialing the same number of digits (*i.e.*, 1+ the terminating number). Only in situations where a customer chose to dial around the presubscribed carrier would the length of the CIC have any potential bearing.

Second, there is no evidence that CICs are in danger of being exhausted before the transition period would expire. According to GTE, only 307 of the 2,000 CICs in the 5XXX/6XXX range (which has been designated for the transition period) have been assigned so far.¹² This brings the total number of CICs in use to approximately 1,200 of the 3,000 available.¹³ Although there likely will be new carriers requesting CICs in the next few years, there appears to be a more than adequate supply available at this time. Moreover, if it should appear in the future that the supply of 5XXX/6XXX CICs might become depleted, the Commission has adequate resources -- as it showed in the recent introduction of the 888 toll free code -- to manage that supply and to further the introduction of relief codes to increase that supply. Therefore, the Commission should not shorten the transition period out of a concern over the supply of CICs available to the industry.

¹¹ AT&T May 21, 1996 Comments at 5.

¹² GTE May 21, 1996 Comments at 2.

¹³ Industry Analysis Division, *Trends in Telephone Service* at 38 (May 1996) (reporting 1,209 Feature Group D CICs assigned as of the Fourth Quarter 1995).

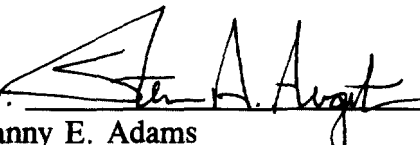
CONCLUSION

For the foregoing reasons, CompTel recommends that the Commission affirm its tentative conclusion that a permissive dialing period of six years is appropriate to allow an orderly transition from three-digit to four-digit CICs.

Respectfully submitted,

**THE COMPETITIVE
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